

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 MICHAEL GLASS,

5 Plaintiff,

6 v.

7 FEATHERLY, *et al.*,

8 Defendants.

Case No. 3:22-CV-00280-ART-CLB

**ORDER STRIKING AMENDED  
COMPLAINT AND DIRECTING  
PLAINTIFF TO FILE MOTION FOR  
LEAVE TO AMEND**

[ECF No. 17]

9 Before the Court is Plaintiff Michael Glass's ("Glass") amended complaint. (ECF  
10 No. 17.) For the reasons discussed below, the Court strikes the amended complaint and  
11 directs Glass to file a motion for leave to amend.

12 Federal Rule of Civil Procedure 15(a)(1) allows a party to amend its pleading once  
13 as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to  
14 which a responsive pleading is required, 21 days after service of a responsive pleading.  
15 Fed. R. Civ. P. 15(a)(2) further instructs that "[i]n all other cases, a party may amend its  
16 pleading only with the opposing party's written consent or the court's leave. The court  
17 should freely give leave [to amend a pleading] when justice so requires," and there is a  
18 strong public policy in favor of permitting amendment. *Bowles v. Reade*, 198 F.3d 752,  
19 757 (9th Cir. 1999). Further, LR 15-1 requires a party to attach proposed amended  
20 pleadings to a motion seeking leave of court to file an amended pleading. Finally, LR 7-  
21 2(d) states the failure of a moving party to file points and authorities in support of a motion  
22 constitutes a consent to the denial of the motion.

23 Here, Glass filed his proposed amended complaint without leave and without an  
24 accompanying motion or points and authorities in support of his proposed amended  
25 complaint. Accordingly, the Court will strike Glass's amended complaint, (ECF No. 17),  
26 for his failure to follow Fed. R. Civ. P. 15, LR 15-1, and LR 7-2(d).

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**DATED:** February 23, 2023.

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